

June 22, 2023

VIA ECF

Hon. Ann M. Donnelly
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *In re American Airlines/JetBlue Antitrust Litigation*, Lead Case No. 1:22-cv-07374 (AMD-TAM) (Consolidated with Case No. 1:22-cv-07423-AMD-TAM)

This Document Relates To All Actions

Dear Judge Donnelly,

Defendants JetBlue Airways Corporation and American Airlines Group Inc. (collectively, “Defendants”), Interim Co-Lead Class Counsel, and Plaintiff in *Buehler v. American Airlines Group Inc., et al.*, 1:23-cv-04089 (AMD TAM) (E.D.N.Y.) (“*Buehler*”) (collectively, the “Parties”) write to respectfully request that the Court consolidate *Buehler* into the above-captioned action (the “Consolidated Action”) pursuant to this Court’s January 10, 2023 Memorandum and Order, ECF No. 25, ¶¶ 4–5, in the Consolidated Action (“Consolidation Order”).

On January 10, 2023, this Court consolidated two related putative antitrust class actions, captioned the case “*In re American Airlines/JetBlue Antitrust Litigation*,” and appointed Interim Co-Lead Class Counsel. *See generally* Consolidation Order. The Court also ordered the consolidation of all related putative class action cases subsequently filed in or transferred to the Court into the Consolidated Action. *Id.* ¶¶ 4–5. Specifically, the Consolidation Order states:

All antitrust class actions on behalf of direct purchasers of airline tickets going to or from Boston Logan International Airport, John F. Kennedy International Airport, LaGuardia Airport, and Newark Liberty International Airport from defendants JetBlue Airways Corp. (“JetBlue”) and American Airlines Group Inc. (“American”) (collectively, “defendants”) from when the Northeast Alliance was officially established on July 16, 2020 through the present day, subsequently filed in, or transferred to, this District will be consolidated into this action.

Id. ¶ 4.¹

¹ On May 12, 2023, this Court consolidated another putative class action filed in this Court—*Kupferberg v. American Airlines Group Inc.*, No. 23-cv-01220-AMD-TAM (E.D.N.Y.)—with the Consolidated Action. *See* Consolidated Action, Minute Order (May 12, 2023).

Because *Buehler* plainly meets the description of the cases this Court ordered to be consolidated into the Consolidated Action, the Parties respectfully request that the Court consolidate *Buehler* into the Consolidated Action.²

Respectfully submitted,

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Interim Co-Lead Class Counsel

/s/ Christina Louise Gregg
Christina Louise Gregg
BERMAN TABACCO

Counsel for Diane Buehler

cc: All Counsel of Record (via ECF)

² On March 6, 2023, Magistrate Judge Merkl stayed the deadlines in the Consolidated Action and ordered that, in the event *Buehler* is transferred from the District of Massachusetts to this Court, lead plaintiffs in the Consolidated Action shall file a Second Consolidated Amended Complaint within 21 days of the transfer, and Defendants shall respond within 30 days of such pleading. Because *Buehler* was transferred to this Court on June 2, 2023 (*see* ECF No. 34), per the March 6 Order, the Second Consolidated Amended Complaint is due June 23, 2023, and Defendants' response to the Second Consolidated Amended Complaint is due (at the latest) July 24, 2023.